Absenderadresse

Theodoric Bärwald BÄRWALD · Das Waldweg 1 · 60433 Frankfurt am Main

00 000C C000 00 E000 0000
DV00.00 0,95 Deutsche Post

*661*0000001*

District Court
Mulgrave Street
Limerick
Mulgrave street
V94 X79F Luimneach
IRLAND

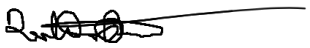
Ihre Empfängeradresse muss innerhalb dieser Box stehen

Der Gedanke legt der Grund fúr die Tat

Mr. Delany,

gatekeepers have somelimited use, as you will experience.

MfG



To the Presiding District Judge of the District Court sitting at Limerick

Pursuant to Section 10 of the Petty Sessions (Ireland) Act 1851 and Order 15, Rule 1 of the District Court Rules, I, Derek O'Barróid, make sworn complaint and respectfully apply that summonses issue against the persons hereinafter named for offences committed within the jurisdiction of this Court.

I say:

Whenever one person is by circumstances placed in such a position with regard to another, that everyone of ordinary sense who did think would at once recognise that if he did not use ordinary care and skill in his own conduct with regard to those circumstances he would cause danger of injury to the person or property of the other, a duty arises to use ordinary care and skill to avoid such danger. A person is entitled to be as negligent as he pleases toward the whole world if he owes no duty to them.

One must take reasonable care to avoid acts or omissions which you can reasonably foresee would be likely to injure your neighbour. The person so affected is my neighbour in law. A local authority owes a common duty of care in the course of its operations to members of the public who will be physically affected by those operations.

Firstly, it shall be tested, is there a relationship between the parties such that carelessness on the part of the one is likely to cause damage to the other?

Secondly, it shall be tested; is there any consideration which ought to negative or to reduce the duty?

Therefore, before any duty can arise there must be foreseeability, proximity, and what is fair, just and reasonable.

The Garda Síochána have a duty, enacted under section 7 of the Garda Síochána Act 2005 by Senior Counsel Michael McDowell when Attorney General and Minister for Justice to investigate every offence.

From the Preamble of Bunreacht na hÉireann the State pledges fidelity to the common good; Article 1 of the Universal Declaration of Human Rights binds that good to brotherhood. To stand aside from a neighbour's wound is to break both constitutions.

On the first day of February 2025 at the White House Public House in Limerick, Derek O'Barróid suffered assault and grievous bodily harm.

A written complaint was prepared that hour brought before Superintendent Andrew Lacey, Henry Street Divisional Headquarters. Since then there has been a complete absence of investigation, persistent neglect of the evidence, and an unconscionable lack of duty in securing medical attention or identifying the assailants.

The Legal Aid Board refused any applications.

Solicitor Ciarán O'Brien wrote — and wrote again. Silence.

Such prolonged abstention from duty, by a doctor of criminology sworn to end Limerick crime, amounts to misfeasance in public office.

I therefore apply that summons issue against:

Garda LK597 Maria Lyons
Specialist Garda LK610 Antony Maloney
Superintendent Andrew Lacey
Chief Superintendent Smart
Assistant Commissioner Foster
Deputy Commissioner Coxon
Commissioner Drew Harris (former)
Commissioner Mark Kelly (current)

all to answer the charge that on divers dates from the first day of February two thousand twenty-five they wilfully refused to investigate an offence contrary to section 3 of the Non-Fatal Offences Against the Person Act 1997, thereby obstructing justice.

Futher, I therefore apply that summons issue against

Firstly: Michael McDowell, former Minister for Justice, Equality and Law Reform, is hereby accused of high treason contrary to section 6(1) of the Offences Against the State Act, 1939, by drafting, proposing and enacting section 7(5) of the Garda Síochána Act 2005, an unconstitutional divestment of judicial power and usurpation of the function of government by the Executive, constituting **any other action or conduct whatsoever**.
Secondly: James O'Callaghan, TD, Minister for Justice, Equality and Law Reform, is hereby cited as respondent and shall be afforded full opportunity to repeal or amend the said unconstitutional provision, and if he fails or refuses, he shall be taken to have adopted and continued the treason and shall be proceeded against accordingly.

The Applicant possesses locus standi to mount this application by virtue of Crotty v. An Taoiseach [1987] IR 713. Therein the Supreme Court declared that where a legislative or executive act strikes at the fundamental rights of every citizen without distinction, the requirement of particularised injury evaporates. Every Irish person shares the same constitutional guarantee, Article 40.3, that the State will protect personal rights including bodily integrity and access to justice. Section 7(5) of the Garda Síochána Act two thousand and five erodes that guarantee for all, hence Derek O'Barróid, as one among the common good, steps forward to enforce it.

Article three point three of the Treaty on European Union says the Union shall 'combat social exclusion and discrimination' and 'promote equality between men and women'. Article sixty-seven, Title five of the Treaty,sets out area of freedom, security and justice: mutual recognition of judgments, police and judicial cooperation, a high level of security, and most importantly: effective protection of fundamental rights.

Moreover, under Article 15.2 and 29 of Bunreacht na hÉireann, Ireland has irrevocably bound itself to the Lisbon Treaty. That Treaty, Article three point three and sixty-seven, commands that I enjoy effective justice, a reliable administration, and open courts. When An Garda Síochána refuse to act, the entire Union fails me. This court, bound by Europe, must summon them to answer why.

Whereas the annals of tyranny teach that no regime ever began with gunfire alone: it began when the uniforms were first ordered to stand aside; and whereas the Weimar Republic was but the ink of

Article forty-eight signed by a hand that chose not to tear the page; and whereas Tsarist knout and Stalinist ledger shared the same spine of State silence; and whereas Buchenwald and Gulag were not forests but filing cabinets whose drawers closed on living bone— all these were authored by the single motion of a pen— so too the Guard, sworn in the Gaelic tongue as Síochána, was twisted, in the year nineteen twenty-five, into blue shirts who guard only paperwork; and whereas the Offences against the State Act nineteen thirty-nine, drafted in the shadow of war, captured treason wider than rifles, wider than bayonets, wide enough for any conduct whatsoever that erodes the democratic order, therefore be it solemnly warned: the pen that signs “no further action” on a citizen’s blood is the modern equivalent of a coup d’état— quieter, slower, but lethal; and if this Court, if this Island, allows such twists of law to stand, then Limerick twenty twenty-five shall become the first page of the next black notebook, and no oath, no statute, no Constitution will be safe from the twist of the next blue pen.

Dated this third day of February, two thousand twenty-six.

Derek O’Barróid

p.s.

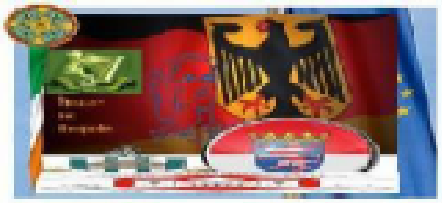
Am Weidebaum, Bóther na Duga, Luimneach, Éire

Derek O’Barróid, passport PU 2856758, passport card C27040698, Born 09/03/1968

The application as tendered to the Presiding District Judge of the District Court at Limerick, invoking principles of common law duty, statutory obligations under the Garda Síochána Act 2005, the Non-Fatal Offences Against the Person Act 1997, the Offences Against the State Act 1939, and constitutional precepts, is duly noted.

Section 3 of the Non-Fatal Offences Against the Person Act 1997 states: "(1) A person who assaults another causing him or her harm shall be guilty of an offence. (2) A person guilty of an offence under this section shall be liable— (a) on summary conviction, to imprisonment for a term not exceeding 12 months or to a fine not exceeding £1,500 or to both, or (b) on conviction on indictment to a fine or to imprisonment for a term not exceeding 5 years or to both."

Section 6 of the Offences Against the State Act 1939 states: "(1) Every person who usurps or unlawfully exercises any function of government, whether by setting up, maintaining, or taking part in any way in a body of persons purporting to be a government or a legislature but not authorised in that behalf by or under the Constitution, or by setting up, maintaining, or taking part in any way in a purported court or other tribunal not lawfully established, or by forming, maintaining, or being a member of an armed force or a purported police force not so authorised, or by any other action or conduct whatsoever, shall be guilty of felony and shall be liable on conviction thereof to suffer penal servitude for a term not exceeding ten years or to imprisonment for a term not exceeding two years. (2) Every person who shall attempt to do any thing the doing of which is a felony under the foregoing sub-section of this section or who aids or abets or conspires with another person to do or attempt to do any such thing or advocates or encourages the doing of any such thing shall be guilty of a misdemeanour and shall be liable on conviction thereof to imprisonment for a term not exceeding two years."



Superintendent
Mr. Andrew Lacey
Henry Street Garda Station
Limerick, Eire

EU 01/02/2025

Dearest Andrew,

Die Empfängeradresse muss innerhalb dieses Bereiches stehen.

You are required to initiat investigations under the Non fatal offences against the Person Act 1997; Sec 4: A Person who intentionaly or recklessly causes harm or attempts to cause harm shall be guilty of an offence. Civil Liability Act 1961 Section 34; a neglect or careless failure to mitigate damage shall be deemed to be contributory negligence in respect in respect of the amount by such damage exceeds the damage that would otherwise have occured.

The Superintendant is required to investigate the occurances outside the Public House; 'The White Horse' 52 O'Connell Street Limerick on the Morning of 1 Feb. 25 between the hours 00:15 am & 01:00 am, at No. 2 Glentworth Street Limerick.

The Superintendant is required to secure eventuell CCTV footage to establish the Identity of the alleged assistant to take witness statments from:

I Security Agent: EM 218430/26

II The alleged Manager of the Establishment who Identified himself as Mr. King.

III Statements of the CEO of the The Whitehousbar Limited, Largest shareholder Horsfield Capital Limited

Irish Human Rights and and Equality Commisson Act 2014 Section 55, Article 13; Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity.

The superintendent is required to open investigations against the following persons in their failure to fulfill their duty of care; A person is entitled to be as negligent as he/she pleases towards the whole world if he owes no duty to them. All neighbours and particularly contractual partner and specifically servants of the state, must take reasonable

Care to avoid acts or omissions which he can reasonably foresee would be liable to injure ones neighbour.
The concept of jurisprudence raises the society above promiscuous squalor of barbarism.
My Grandparents decided for a Republic, I will tolerate no other form of Law; Art 9 Abs 3 Bunreacht nah Éireann.
Cui vero alios inuitus accuso primum legem et canonis servatorum polliceri
Qui tacet consentire videtur, ubi loqui debuit ac potuit. Datis mihi tact, dabo tibi ius.

The General Secatary of the UN, Guterres: Art 99 UN.
Comissar of the EU, Von de Leyen: Art 2 EUV vrm Art 18 EU
President of the EU, Metsola: Art 2 EU vrm Art 1 EU
Taoiseach, Martin T.D, Art 40.1 Bunreacht na hÉireann
Tánaiste, Harris TD, Art 40.1 Bunreacht na hÉireann
Intoxication in Public Place; It shall be an offence for any person to be present in any public place while intoxicated to such an extent as would give rise to a reasonable apprehension that he might endanger himself or any other person in his vicinity.
The operation of a Outside area, outside the threshold of the Establishment opens question of Liability and Legality. The Superintendent is required clarify these discrepancies with the elected Mayor of Limerick the honorable Mr. John Moran. As Chief Executive the Mayor is required to function and deliver.

Gé tá marbh macredh Gure agus Cú Chulann na Craobh ruaidhe: ón tó tá a nós thiar is thoir a-tá fós Briar n-a bhearthaidh.

Crodh um nar dhéochuir an dán ar eltorgheacht a tír Romhán Pádraig an iris do b'thearr a hinis thárl bhuig Éireann.

Créad thug ar Colum Cille nach bronladh adhl Líreine gach dar daonag dul ar neamh, crodh ar Caodh mar do léigeadh.

Dá mbáidhti an dán, a dhaoine, gan seanchas gan searlaoidhe go bráth achd athair gach fhir rachaidh cách gan a chluasa.

Fir Éireann más é a rothaí romharba na heal-athan gach Gaoidheal badh gann a bhreath gach saoirthear ann badh aitheach.

Saotse: Mögen sy sich des wol vorgesehn und widersteen, und sich des weren mit unserm guet-lichen willen.

1. Erste Aufgabe ist die Vorherstellung der Vollkommenderen Majestät des Rechts
2. Wir waren einst stolz auf die Rechtschheit und Redlichkeit unseres Volkes, auf die Sicherheit und Güte der Deutschen Rechtspflege. Umso größer muß aller Schmerz sein, sie so fast vernichtet zu sehen.
3. Keine Menschliche Gemeinschaft kann ohne Rechtbestehen. Wir wollen die Moral wiederherstellen, und zwar auf allen Gebieten des öffentlichen Lebens.

Nullus liber homo capiatur, vel imprisonetur, aut disseisiatur, aut utlagetur, aut exuletur, aut aliquo modo destruatur, nec super eum ibimus, nec super eum mittemus, nisi per legale judicium parium suorum vel per legem terre.
Nulli vendemus, nulli negabimus, aut differemus rectum aut justiciam.

The delivery of our country from whicle murders, wicked and detestable policies by which the Kingdom was hiterto governed, nourised in absurdy and ignorance, maintained in barbarity and incumyond consequently of infinite evils which are too lamentable to be rehearsal.

Most Christian and fearless men, the Greatond and Good God has this day in His Divine generosity more than than granted our most earnest and frequent prayers and petitions. We have ever been praying to God and his Saints to grant us to fight the Protestants on equal terms, For this have we offered up our prayers; for this have we made our offerings, and now we are not only equal, but actually superior in numbers. Therefore, you, who have when inferior in numbers, routed the heretical clans are now in superior numbers pitted against them.

I, for my part hold that victory lies not in senseless armour, nor in the vain din of cannon, but in living courageous souls. Remember how often when you were not so well equipped or disciplined you have overcome greater generals and forces, and even Bagnal himself. The English never could compare with the Irish in spirit, courage or steadfastness in battle and the Irish who will be fighting against you will be despirited by the consciousness of their crime and schism in fighting against the Catholic faith. Here you are defend faith, fatherland, children, wives. Or then with God heart with the help of God and his Saints.

Humbly acknowledging my obligations to my Divine Lord
Jesus Christ, who sustained our Fathers and indeed our Mothers
through centuries of Trial, heroic and unremitting struggles
against the enimies of our divine authority, unto our final end,
whom the actors of Man and Republics must be referred to, who
ought to promote for the common good, with all due observance
of Prudence, Charity and the Rule of Law, who established
the freedom of the individual restricted only by humane Common
Law, adopted, enacted through Constitution and by mutual
agreement on Supranational Law, established unalienable
rights and the indivisable dignity of Man.

Daly & Colbert fought to see Erin
A fundamental Right for me and you.
The might of Right, not Right of Might
To protect even the devil as if it were you.
If the Law does not protect all, then who, You!

No operation shall invalidate the exercise or limit the function of empowered bodies to proceed, in a judicial nature, to investigate the dereliction of duty of those who are considered to and by oath required to provide aid as seen nessecary, for the constant to social justice, equality of care and the just distribution resources, as being key tenets of the accredited profession.

Equally, the acting Taoiseach Mr. Simon Harris TD charged with aiding and abetting through dereliction of duty, as in the past, for failing to provide adequate Medical support Art 45 S.1, 2i r.c.v. Art 1, Art 3 S.1, Art 20, Art 34 Sec 1, Art 35, Art 41 S.1, S. 2 a, b, c, Art 42 E.U.

It is the Garda duty to investigate those alleged Crimes.

Is mise le meas

Mac O'Barróid

1798

2025